
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: JANUARY 22, 2008**

President of Council Mills presiding.

PRESENT: Mayor Coleman, Councilmen Anderson, Hargate, Legan, Lombardo, Mills, Murphy, Pilla; Clerk of Council Buchak; Fire Captain Molnar; Police Lieutenant Visoky; Service Director Evans; Assistant Building Commissioner Austin; City Engineer Blackley; Finance Director Ianiro; Law Director Paluf.

ABSENT: Councilman Lombardo, excused.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held January 8, 2008 was dispensed with. Mr. Legan requested a correction on page 5, in the appointments to the Volunteer Firefighters Dependents Board, change Ted Anderson to Frank Legan. Mr. Anderson moved to accept the Minutes as corrected; seconded by Mr. Pilla. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: No report.

Police Chief's Report: No report. Mr. Mills asked Lieutenant Visoky to pass along condolences on behalf of the administration and Council to Chief Cook on the loss of his Mother.

Service Director's Report: Service Director Evans advised salt and overtime are on the rise. He advised there is a holiday this week but rubbish collection is not delayed.

Building Commissioner's Report: Assistant Building Commissioner Austin reported they are renewing the contractor registrations for this year. The permit for the assisted living facility has been finalized. They are clearing the property at 399 Bishop Road.

City Engineer's Report: No report.

Finance Director's Report: Finance Director Ianiro advised the Economic Development Committee is meeting tomorrow, January 23, 2007, at 4:45 p.m. One item on the agenda is the assisted living facility on Bishop Road.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson reported baseball signup has started and the first walk-in signup is February 20th from 6 to 8 pm. The Commission had questions regarding the new sign at the park. They wondered if an electrical outlet box can be put on the new sign and if the sign could be turned off at night if it becomes a nuisance for residents in the area.

Service Director Evans stated he and the City Engineer would review the plans for the signs.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: Mr. Pilla reported a meeting was held January 14th.

- **BP Products North America, Inc., 6267 Wilson Mills Road.** Final approval was granted pending letters from the Police and Fire Departments.
- **Crostatas Pizzeria, 558 Bishop Road.** Review Status of Project. They are waiting for Landscape approval which was given to the Building Department today.

Mr. Mills noted that the BP station is operating again and asked if that was temporary until they receive their approvals. Mr. Pilla stated, yes.

Mr. Austin reported the letters have been received from the Police and Fire Departments so they will be issuing the permit for BP.

Safety & Service Committee: No report. Mr. Hargate scheduled a meeting for 7:00 p.m. on February 5th.

Legislative & Finance Committee: Mrs. Murphy reported L&F met last Friday for discussion on many items:

- A resolution establishing the pay and duties of the Prosecutor, Law Director, and City Engineer. The pay increases mirror the citywide increase at 3.5%. L&F does recommend approval of these resolutions and suspension of the third readings so they can be passed tonight inasmuch as the calendar year is already underway. These are items 5, 6 and 7 on the agenda.
- L&F reviewed and recommends approval of the Recreation Director's pay ordinance. It represents a 3% wage increase from 2007. This is item No. 3 on the agenda. Again, they do request suspension of the second and third readings since the new year is under way.
- L&F reviewed the proposed resolution for the Snacks & Stuff Concession Service in the park. The terms of the contract are the same as last year. They provide that Snacks & Stuff will compensate the city \$3,000 in \$1,000 increments during the season from May 1st through September 15th. This is item No. 2 on the agenda. L&F recommended this legislation receive three readings.
- L&F also reviewed the Recreation Department employees pay ordinance. The proposed ordinance represents a 3% pay increase at the top levels of each category and for the baseball and softball commissioners. The lowest level position in each category was raised up to meet minimum wage rates of \$7.00 an hour. Otherwise there are no changes in this ordinance; the same pay scale as last year. L&F recommends approval tonight because hiring will begin soon for these positions. They ask for suspension of the second and third readings. This is agenda item No. 4.
- L&F received the proposed budget from the administration for this year and are in the process of scheduling meeting times to meet with department heads to review their budgets. This legislation needs to be passed by Council in mid March.

Mayor Coleman requested that L&F, when meeting with the Police and Fire Departments, schedule their meetings in their building conference rooms because they are asking for some capital improvements to their building so they can show what they are specifically talking about.

Drainage Committee: Mrs. Murphy reported a meeting was held this evening. They discussed numerous items:

- The Highland Road Sanitary Sewer Evaluation Study (SSES) conducted by the County. Council members received notebooks containing that report. The drainage committee would like to invite a representative from the County to a future Committee of the Whole meeting to discuss the findings in this report. It is extensive and there are some important recommendations. This will probably be at the second Committee of the Whole Meeting in February.
- Basement flooding problems in the Radford, Franklin and Kenbridge area. The County work there is ongoing. They are televising, checking names and checking areas in Richmond Heights for cross connections.
- The proposed illicit discharge ordinance. This must be in place by April of 2008. It is being reviewed by the committee.
- The County Board of Health has offered to continue monitoring outflows for our city. This is required by the EPA. This will be looked at as a part of the proposed budget for this year.
- The EPA general permit annual reporting form. That reporting form is due in April.

Commission on Aging: No report.

Law Director's Report: No report.

MAYOR'S REPORT: Mayor Coleman reported the next Newsletter will be going out in March in the new format that Brown Flynn has proposed. Diana Lydic has asked that articles be submitted by February 22nd. He requested that at the next Committee of the Whole, Council schedule a discussion about Home Days. Mayor Coleman asked Council to add to the agenda this evening an Executive Session to discuss potential litigation.

Regarding the Newsletter, Mr. Mills asked questions regarding Council space. Mayor Coleman advised someone called Brown Flynn today asking for two full pages which is fine; however, the only problem is if they don't fill the two pages. He asked that all requests go through his Administrative Assistant, Diana Lydic.

Council President's Report: Council President Mills reported as follows:

- Regarding notification for the Stonewater item on the agenda for the February 12th meeting, Law Director Paluf advised the Home Owner Associations will notify their membership and the Law Director will notify adjacent builders and interested parties.
- Mr. Mills recommended approval this evening of Item 1 on the agenda, rescinding the lease agreements with Bass Energy because they have concluded that they will not do the gas wells.

- In conversation with Hacker's management he was told that they should be reopening in the next couple weeks.
- The Mayfield High School Year Book ad. Council members were asked to contribute to the cost of the ad as they have done in the past. The current price is \$40 per person. Council members were in agreement. Mrs. Murphy noted that the cost is from their personal funds.
- Council members are requested to provide information for their business cards to Diana Lydic

ITEMS TO BE ADDED TO THE AGENDA:

Motion to adjourn into Executive Session to discuss potential litigation.

It was moved by Mr. Pilla to add the above item to the agenda; seconded by Mr. Anderson. Ayes all; motion carried.

MEETING OPENED TO THE PUBLIC: No one spoke.

NEW BUSINESS:

ADOPTION OF RESOLUTION NO 8-2008: Council listened to the First Reading in title only of Proposed Resolution 8-2008 which description is: "A Resolution rescinding Resolution No. 63-2006 which authorized the Mayor to enter into two lease agreements with Bass Energy, Inc. for the installation of two gas wells in the Municipal Park and one gas well at the City Hall Complex, and declaring an emergency." Mrs. Murphy moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Pilla moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

FIRST READING PROPOSED RESOLUTION NO. 9-2008: Council listened to the First Reading in title only of Proposed Resolution 9-2008 which description is: "A Resolution authorizing the Mayor to enter into a contract with Snacks and Stuff, Inc. to provide food and beverage concession services at the Municipal Pool and Park for the summer of 2008 and declaring an emergency."

FIRST READING PROPOSED ORDINANCE NO. 3-2008: Council listened to the First Reading in title only of Proposed Ordinance 3-2008 which description is: "An Ordinance establishing compensation for the Recreation Director of the City of Highland Heights, Ohio, for 2008, repealing all ordinances inconsistent therewith and declaring an emergency." Mrs. Murphy moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Pilla moved to enact; seconded by Mr. Hargate. Ayes all; motion carried.

FIRST READING PROPOSED ORDINANCE NO. 4-2008: Council listened to the First Reading in title only of Proposed Resolution 4-2008 which description is: "An Ordinance establishing compensation for employees of the Recreation Department of the City of Highland Heights, Ohio for 2008, repealing all ordinances inconsistent herewith and declaring an emergency." Mr. Anderson moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Legan moved to enact; seconded by Mr. Anderson. Ayes all; motion carried.

SECOND READING PROPOSED RESOLUTION NO. 3-2008: Council listened to the Second Reading in title only of Proposed Resolution 3-2008 which description is: "A Resolution

establishing compensation and other terms of employment for the Police Prosecutor and declaring an emergency." Mr. Legan moved to suspend the Third Reading; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Legan moved to adopt seconded by Mr. Hargate. Ayes all; motion carried.

SECOND READING PROPOSED RESOLUTION NO. 4-2008: Council listened to the Second Reading in title only of Proposed Resolution 4-2008 which description is: "A Resolution establishing the terms, conditions and compensation for the Law Director's services." Mr. Anderson moved to suspend the Third Reading; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Anderson moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

SECOND READING PROPOSED RESOLUTION NO. 5-2008: Council listened to the Second Reading in title only of Proposed Resolution 5-2008 which description is: "A Resolution providing for the employment of an Engineer for the City of Highland Heights and establishing the compensation of the City Engineer for 2008, repealing all legislation inconsistent herewith and declaring an emergency." Mr. Anderson moved to suspend the Third Reading; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Pilla moved to adopt; seconded by Mr. Anderson. Ayes all; motion carried.

ADOPTION OF RESOLUTION NO. 53-2007: Council listened to the Third Reading in title only of Proposed Resolution 53-2007 which description is: "A Resolution authorizing James G. Zupka, Inc. to assist the City in preparation of its Basic Financial Statements (GPFS) in accordance with GASB Statement 34 and all other GASB Statements for the Calendar Years 2007 and 2008, and declaring an emergency." Mr. Pilla moved to adopt; seconded by Mr. Legan. Ayes all; motion carried.

NEXT MEETING: Council President Mills announced that next Tuesday is the fifth Tuesday of the month and Council will not meet. The next Meeting will be held February 5, 2008 in a Committee of the Whole Meeting. Any items for the agenda are to be forwarded to the President or Clerk prior to January 30th. Current items for discussion are a Flower Fund, County SSES Report and Home Days.

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Pilla to adjourn into Executive Session to discuss potential litigation in accordance with Section 4.05 of the Charter of the City of Highland Heights and Section 121.22(g) of the Ohio Revised Code; seconded by Mr. Hargate. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:30 p.m. and reconvened at 8:40 p.m.

ADJOURNMENT: A motion was made by Mr. Legan and seconded by Mr. Pilla to adjourn the meeting. Said meeting adjourned at 8:40 p.m.

Clerk of Council

President of Council